

Waterville  
TRANSFER  
TAX  
PAID

QUITCLAIM DEED WITH COVENANT  
Maine Statutory Short Form

033631

61-80-3

Know All Persons by These Presents, That

HD WATERVILLE COMMONS ASSOCIATES, L.L.C., an Ohio limited liability company, for consideration paid, grants to HOME DEPOT U.S.A., INC., a Delaware corporation, whose mailing address is 2455 Paces Ferry Road, Atlanta, GA 30339 with quitclaim covenant, the land in Waterville, County of Kennebec, State of Maine, described on the attached EXHIBIT A.

In Witness Whereof, the said HD Waterville Commons Associates, L.L.C. has caused this instrument to be signed and sealed by June Futia, its Vice President hereunto duly authorized, this 15<sup>th</sup> day of the month of October 2002.

Signed, Sealed and Delivered  
in presence of

HD Waterville Commons Associates, L.L.C.

By: OM Minot Associates, L.L.C.  
Its Managing Member

By: OM Minot Capital Corp.  
Its Managing Member

Laura Howard  
Witness

By: June Futia  
Its: Vice President

④ Atlantic Title

State of Ohio  
County of Stark

October 15, 2002

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Then personally appeared the above named June Futia, the Vice President of OM Minot Capital Corp., Managing Member of OM Minot Associates, L.L.C., Managing Member of HD Waterville Commons Associates, L.L.C., Grantor as aforesaid, and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity, and the free act and deed of said Corporation.

Before me,

Rene S. Tatka  
Notary Public  
Printed Name: Rene S. Tatka  
My commission Expires: July 5, 2007

Rene S. Tatka, Notary Public  
State of Ohio, Stark County  
My Commission Expires July 5, 2007

SEAL

**Exhibit A – Property Description**

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A certain lot or parcel of land situated in the City of Waterville, County of Kennebec and State of Maine, more particularly described as follows:

Commencing on a point depicted on a plan entitled STANDARD BOUNDARY SURVEY- SHOWING TAX MAP LOTS 61-40, 61-50, 61-60, 61-70, 61-80, 62-3 AND A PORTION OF 61-90 – IN WATERVILLE, MAINE – KENNEBEC COUNTY, prepared for Cedarwood Development, Inc., prepared by James W. Sewall Company, dated July 21, 1999, as the southeasterly corner of a parcel of land now or formerly of Foresite, Inc. Said parcel being depicted on the City of Waterville Tax Assessor Map 61 as Lot 80. Said point is marked by a rebar with a cap marked "1132", 0.9 feet above ground, thence:

N 51° 32' 23" W a distance of one thousand one hundred fifty and 56/100 (1150.56) feet, to a point at the southeasterly corner of the herein described parcel. Said point being the Point of Beginning;

Thence N 85° 10' 19" W a distance of eleven and 91/100 (11.91) feet, to a point;

Thence N 40° 01' 29" W a distance of twenty five and 99/100 (25.99) feet, to a point;

Thence N 85° 09' 53" W a distance of two hundred eighteen and 57/100 (218.57) feet to a point;

Thence N 25° 19' 23" W a distance of forty six and 26/100 (46.26) feet, to a point;

Thence N 85° 09' 53" W a distance of three hundred three and 86/100 (303.86) feet to a point;

Thence N 04° 50' 07" E a distance of five hundred seventy nine and 27/100 (579.27) feet to a point;

Thence N 08° 35' 18" E a distance of one hundred sixty nine and 41/100 (169.41) feet to a point;

Thence S 85° 09' 53" E a distance of two hundred ninety three and 58/100 (293.58) feet to a point;

Thence N 23° 52' 11" E a distance of twenty five and 54/100 (25.54) feet to a point;

Thence S 85° 09' 53" E a distance of two hundred forty six and 34/100 (246.34) feet to a point;

Thence S 34° 38' 54" E a distance of twenty five and 91/100 (25.91) feet to a point;

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2062 OCT 21 PM 1:35

ATTEST: *Beverly B. Hall*  
REGISTER OF DEEDS